

**367.97527 Funeral planning declaration directing cremation.**

- (1) A person may authorize his or her own cremation and the final disposition of his or her cremated remains, by executing a declaration. The original declaration directing cremation shall be retained by the entity with which the arrangements are made. A copy of the declaration shall be provided to the person signing the preneed arrangements. The person prearranging his own cremation shall have the right to transfer or cancel the declaration at any time prior to death, by notifying the entity with which the declaration is filed by certified mail.
- (2) In the event that no different or inconsistent instructions are provided to the crematory authority at the time of death, the crematory authority shall release or dispose of the cremated remains as indicated in the cremation authorization or declaration.
- (3) Neither the crematory authority nor a licensed funeral director arranging a cremation shall be held liable for the crematory authority's or the funeral director's good faith reliance on representations made by the declaration or authorizing agent regarding the authority or decision to cremate.

**Effective:** July 15, 2016

**History:** Amended 2016 Ky. Acts ch. 59, sec. 15, effective July 15, 2016. -- Amended 2000 Ky. Acts ch. 171, sec. 2, effective July 14, 2000. -- Created 1994 Ky. Acts ch. 140, sec. 9, effective July 15, 1994.